

Chiharu Sekino, SBN #306589
Email: csekino@sfmslaw.com
SHEPHERD, FINKELMAN, MILLER & SHAH, LLP
1230 Columbia Street, Suite 1140
San Diego, California 92101
Telephone: (619) 235-2416
Facsimile: (866) 300-7367

Beth E. Terrell, SBN #178181
Email: bterrell@terrellmarshall.com
Jennifer Rust Murray, *Admitted Pro Hac Vice*
Email: jmurray@terrellmarshall.com
Elizabeth A. Adams, SBN #290029
Email: eadams@terrellmarshall.com
TERRELL MARSHALL LAW GROUP PLLC
936 North 34th Street, Suite 300
Seattle, Washington 98103
Telephone: (206) 816-6603
Facsimile: (206) 319-5450

Class Counsel

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ABANTE ROOTER AND PLUMBING,
INC., MARK HANKINS, and PHILIP J.
CHARVAT, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

ALARM.COM INCORPORATED, and
ALARM.COM HOLDINGS, INC.,

Defendants.

NO. 4:15-cv-06314-YGR

**SUPPLEMENTAL DECLARATION OF
CARLA A. PEAK ON
IMPLEMENTATION OF SETTLEMENT
NOTICE PLAN**

JURY TRIAL DEMAND

Complaint Filed: December 30, 2015

Honorable Yvonne Gonzalez Rogers

DATE: August 13, 2019

TIME: 2:00 p.m.

LOCATION: Oakland Courthouse
Courtroom 1 - 4th Floor

1 I, Carla A. Peak, declare as follows:

2 1. I have personal knowledge of the matters set forth herein, and I believe them to be
3 true and correct. I am Vice President of Legal Notification Services at KCC, LLC ("KCC"), the
4 Settlement Administrator in this action.

5 2. This declaration supplements my earlier declaration executed June 21, 2019.

7 ***Requests for Exclusion***

8 3. As noted in my previous declaration, KCC initially received 14 timely and valid
9 requests for exclusion. Four additional timely requests for exclusion were received that were
10 deemed to be incomplete. KCC sent a deficiency letter to each of the four people to give them
11 the opportunity to correct their request. As of the date of this declaration KCC has received
12 responses from three of the four people sent these letters and their requests are now considered
13 valid. The deadline to respond to the deficient exclusion request letter they were sent has now
14 passed. A revised list of valid requests for exclusion is attached hereto as Exhibit A.

15 ***Claim Forms***

16 4. The final count of valid claim forms after accounting for all successful responses
17 to deficiency letters is 45,169 associated with 76,310 telephone numbers. Based on the current
18 valid claims, if the Court approves all requested settlement expenses, including attorneys' fees,
19 costs, and administration expenses, Settlement Class Members will be entitled to estimated
20 payments of \$225 for each claimed telephone number.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct.

23 EXECUTED at Sellersville, Pennsylvania, this 18th day of July, 2019.

24 

25
26 Carla A. Peak

LOCAL RULE 5-1(I)(3) STATEMENT

Pursuant to Local Rule 5-1(i)(3), I hereby attest that in concurrence to the filing of this document permission was obtained from the signatory, and that I will maintain records to support this concurrence by the signatory subject to this document as required under the local rules.

DATED this 18th day of July, 2019.

TERRELL MARSHALL LAW GROUP PLLC

By: /s/ Beth E. Terrell, CSB #178181
Beth E. Terrell, CSB #178181
Email: bterrell@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
Telephone: (206) 816-6603
Facsimile: (206) 319-5450

Attorneys for Plaintiffs and the Proposed Classes

CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify that on July 18, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kasey C. Townsend, SBN #152992
Email: ktownsend@murchisonlaw.com
Susan J. Welde, SBN #205401
Email: swelde@murchisonlaw.com
MURCHISON & CUMMING, LLP
275 Battery Street, Suite 850
San Francisco, California 94111
Telephone: (415) 524-4300

Martin W. Jaszczuk, *Admitted Pro Hac Vice*
Email: mjaszczuk@jaszczuk.com
Margaret M. Schuchardt, *Admitted Pro Hac Vice*
Email: mschuchardt@jaszczuk.com
Seth H. Corthell, *Admitted Pro Hac Vice*
Email: scorthell@jaszczuk.com
Daniel I. Schlessinger, *Admitted Pro Hac Vice*
Email: dschlessinger@jaszczuk.com
JASZCZUK P.C.
311 South Wacker Drive, Suite 1775
Chicago, Illinois 60606
Telephone: (312) 442-0311

Craig S. Primis, *Admitted Pro Hac Vice*
Email: craig.primis@kirkland.com
KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, DC 20005
Telephone: (202) 879-5921
Facsimile: (202) 879-5200

Attorneys for Defendants Alarm.com Incorporated and Alarm.com Holdings, Inc.

1 DATED this 18th day of July, 2019.

2 TERRELL MARSHALL LAW GROUP PLLC

3 By: /s/ Beth E. Terrell, SBN #178181

4 Beth E. Terrell, SBN #178181

5 Email: bterrell@terrellmarshall.com

6 936 North 34th Street, Suite 300

7 Seattle, Washington 98103-8869

8 Telephone: (206) 816-6603

9 Facsimile: (206) 319-5450

10 *Attorneys for Plaintiffs*

Exhibit A

Requests for Exclusion**Total:** 17

<u>Last</u>	<u>First</u>	<u>Status</u>
ALEXANDER	FREDERICK	VALID
BAILEY	OLDEN	VALID
BANK	TODD	VALID
BROWN	ANGELA L	VALID
BROWN	TIFFANY	VALID
DALLAPIAZZA	BILL	VALID
GIGANDET	DIANE	VALID
GONZALEZ	ABIGAIL	VALID
HAMMEL	JAN T	VALID
HOUSTON	ERIC	VALID
HUSSIN	TAMMY	VALID
KUBASKY	MARK	VALID
MACKLIN	JAMAL	VALID
RUOSS	JAMES	VALID
TUCKER-CURRY	SHRAIL	VALID
VALENTINE	ADELITA	VALID
WILLIS	KEISHA	VALID